

REMARKS/ARGUMENTS

Submitted herewith is a newly executed Oath for Ronald John Shimek, deceased, (PTO forms SB51 and SB02LR) which is fully responsive to the Office Action mailed August 21, 2007. In the Office Action, claims 1-19 are rejected as being based upon a defective reissue oath filed on February 21, 2007.

Interview Summary

On October 19, 2007, attorney Paul Busse submitted by fax to Examiner Carl Price completed forms, SB51 and SB02LR for review before filing.

- Reissue Application Declaration by the Inventor (PTO/SB/51); and
- Declaration Supplemental Sheet for Legal Representatives on behalf of a Deceased or Incapacitated Inventor (PTO/SB/2LR).

In an Interview Summary mailed October 31, 2007, the Examiner summarized the telephonic interview and further indicated that he “consulted with Steve Markus (OPLA) and Colleen Cook (3700 SPRE),” and then informed Paul Busse in a telephone call on October 22, 2007 “that with the exception to the need for applicant to mark the last box on page 2 of form PTO/SB/51 in order to indicate attachment of form PTO/SB/2LR, the Draft Declaration appeared to be in proper form with regard to matters related to the legal representative signing on behalf of the deceased applicant.” The suggested change of marking the last box on page 2 of form PTO/SB/51 was made, and the submitted oath for Ronald John Shimek, deceased, was executed by Mr. Shimek’s legal representative.


Conclusion

Because the reissue oath is no longer defective and has been executed by the legal representative for Ronald John Shimek, deceased, the Applicants respectfully request that the rejection of claims 1-19 be withdrawn. The Applicants submit that claims 1-19 are now in condition for allowance, and respectfully request a notice of allowance in this application. If

there are any remaining questions, the Examiner is requested to contact the undersigned at the number listed below.

Respectfully submitted,

FAEGRE & BENSON LLP

By: 
Paul W. Busse, Reg. No. 32,403
612/766-7046
Customer No.: 58506

Dated: December 19, 2007